IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 20446 of 2004

Between:

Smt.Ch.Padma, w/o Ch.Krishna Rao,
Dappalampadu Village, Gudlur Mandal, Prakasam District.

..... PETITIONER

AND

1 The Joint Collector, Prakasam District, Ongole.
2 The Revenue Divisional Officer, Kandukur, Prakasam District.
3 The Mandal Revenue Officer, Gudlur, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the suspension of the fair price shop dealership of the petitioner by the Revenue Divisional Officer, Kandukur by order dated 8-10-2004 in Rc.F/2300/2004 and also the inaction of the Joint Collector, Prakasam District, Ongole, in not passing any stay order in the appeal preferred by the petitioner as illegal, arbitrary, void and unjust and consequently issue directions to the respondents herein to permit the petitioner to act as Fair Price Shop dealer of Dappalampadu (V), Gudlur Mandal, Prakasam District pending disposal of the appeal filed by the petitioner before the Joint Collector, Prakasam District, Ongole.

Counsel for the Petitioner: MR.I.GOPAL REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

ORDER:

Admittedly, against the impugned order dated 08-10-2004, whereunder, the authorization of the petitioner was suspended pending enquiry, the petitioner has preferred an appeal on 14-10-2004, and the same is pending before the 1st respondent-Joint Collector, Prakasham District, Ongole.

Since the statutory appeal is pending, though the learned counsel for the petitioner raised various grounds assailing the validity of the impugned order of suspension, I am not inclined to express any opinion on merits. Instead, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent, to dispose of the application for stay in the appeal filed by the petitioner against the order of suspension dated 08-10-2004, as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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08-11-2004

Note: Issue C.C in two days.

B/o.

vs

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To

1 The Joint Collector, Prakasam District, Ongole.
2 The Revenue Divisional Officer, Kandukur, Prakasam District.
3 The Mandal Revenue Officer, Gudlur, Prakasam District.

4 2CCs to the G.P for Civil Supplies, High Court Buildings,

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